IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

MONDAY, THE 27TH NOVEMBER 2006 / 6TH AGRAHAYANA 1928

WP(C).No. 31384 of 2006(J)

PETITIONER:

PARTHAN V.S.,
S/O SANKU, VDAKKETH HOUSE,
NATTAKAM POST, KOTTAYAM.

BY ADV. SMT.K.USHA
SRI.A.D.SHAJAN

RESPONDENTS:

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1. SECRETARY, KOTTAYAM DISTRICT CO-OPERATIVE BANK LTD.
KOTTAYAM.

2. THE SPECIAL OFFICER,
APPOINTED UNDER SECURITISATION AND
RECONSTRUCTION OF FINANCIAL ASSETS
AND ENFORCEMENT OF SECURITY INTEREST ACT.
DISTRICT CO-OPERATIVE BANK, KOTTAYAM.

3. GEETHA AJAYAKUMAR,
VADAKKETH HOUSE, NATTAKAM POST,
KOTTAYAM.

4. REGISTRAR OF CO-OPERATIVE SOCIETIES,
THIRUVANANTHAPURAM.

5. STATE OF KERALA, REP BY SECRETARY,
CO-OPERATIVE DEPARTMENT,
THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SRI. P.N. SANTHOSH

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 27.11.2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J.M.JAMES, J.

W.P.(C). 31384/2006

Dated this 27th day of November, 2006

JUDGMENT

As per the notice dated 20.9.2006, one Geetha Ajayakumar, the third respondent herein, was directed to remit an amount of Rs.1,58,433/-, failing which the property, pledged in the bank, would be taken into possession off and sold in public auction. The petitioner is the father-in-law of the third respondent. So far no amount had been paid.

2. The learned counsel submits that they had approached the first respondent, bank, and sought for further sixty days' time which was declined. Hence this writ petition.

3. I heard the learned counsel for the writ petitioner, Senior Government Pleader for respondents 4 and 5 and Mr.T.R.Ramachandran Nair for respondents 1 and 2. Notice to the third respondent, the daughter-in-law of the petitioner, is dispensed with.

4. After hearing all concerned, I direct the writ petitioner to pay an amount of Rs.50,000/- to the first respondent, bank, within two weeks from today. The balance amount due to the first respondent shall be paid within one month from the date of payment of Rs.50,000/-, as ordered above.

5. In case of any default of the above direction, the first respondent, bank, shall proceed against the writ petitioner, as per the law.

6. All further actions, consequent on the notice dated 20.9.2006, will stand stayed for the above period. On payment of the entire amount due to the first respondent, bank, the notice dated 20.9.2006 will lapse.

The writ petition is disposed of as above.

J.M.JAMES
JUDGE

mrcs